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Attorney for Defendant

MELISSA LANDGRAF

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELISSA LANDGRAF,

Defendant.

Case No.: 2:21-CR-264-RFB-NJK

(SECOND REQUEST)

STIPULATION AND ORDER TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED AND AGREED, by and between **SIMON KUNG, ESQ.**, Assistant United States Attorney, counsel for the United States of America, and **OSVALDO E. FUMO, ESQ.**, counsel for **MELISSA LANDGRAF**, that the Sentencing Hearing currently scheduled for May 5, 2022, at 11:00 a.m., be vacated and reset on a date and time convenient to the court, but not earlier than 60 days.

1. Counsel for defendant has spoken to defendant and she has no objection to the request of continuance.
2. Defendant is out of custody and out on pretrial release.
3. Counsel has spoken to AUSA Simon Kung and he does not oppose to the continuance.

1 4. Counsel needs additional time to prepare for sentencing and to go over defendants
2 issues and concerns.

3 5. Denial of this request for continuance could result in a miscarriage justice.

4 6. For all the above-stated reasons, the ends of justice would best be served by a
5
6 continuance of the Sentencing Hearing until a date and time convenient to the court.

7 This is the 2nd request for continuance filed herein.

8 **DATED** this 29th day of April 2022.

9 /S/ Osvaldo E. Fumo, Esq.

10 **OSVALDO E. FUMO, ESQ.**

11 Nevada Bar No. 5956
12 601 Las Vegas Blvd. South
13 Las Vegas, Nevada 89101
Attorney for Defendant

MELISSA LANDGRAF

/S/ Simon Kung, Esq.

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FINDINGS OF FACT

1. Counsel for defendant has spoken to defendant and she has no objection to the request of continuance.
2. Defendant is out of custody and out on pretrial release.
3. Counsel has spoken to AUSA Simon Kung and he does not oppose to the continuance.
4. Counsel needs additional time to prepare for sentencing and to go over defendants issues and concerns.
5. Denial of this request for continuance could result in a miscarriage justice.
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing until a date and time convenient to the court.

1 This is the 2nd request for continuance filed herein.

2 **CONCLUSIONS OF LAW**

3 Denial of this request for continuance would deny the parties herein the opportunity
4
5 to effectively and thoroughly prepare for Sentencing Hearing.

6 Additionally, denial of this request for continuance could result in a miscarriage of
7
8 justice.

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10 **ORDER**

11 IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for May 5,
12 2022, at 9:00 a.m., be continued to the 7th day of July, 2022
13 at 10:00 AM, in courtroom 7C.

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16 DATED this 3rd day of May, 2022.

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20 RICHARD F. BOULWARE, II
21 United States District Judge
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